

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

UNITED STATES OF AMERICA,

v.

CRIMINAL ACTION FILE  
NO. 4:17-CR-024-01-HLM-WEJ

KENNETH W. HILLMAN, III.

ORDER

This case is before the Court on the Report and Recommendation on Plea of Guilty issued by United States Magistrate Judge Walter E. Johnson [5].

On July 13, 2017, the United States Attorney issued an Information against Defendant. (Information (Docket Entry No. 1).) The Information charged that Defendant, while an employee of the Federal Bureau of Investigations, “did publish, divulge, disclose and make known information coming to him in the course of his employment and official duties, concerning and relating to the processes, operations, and style of work of the Federal Bureau of Investigations Internet Crimes against Children Task Force to a

person not authorized by law to receive such information,” in violation of 18 U.S.C. § 1905. (Id. at 1.)

On July 13, 2017, Defendant filed a Consent to Tender Plea Before U.S. Magistrate Judge. (Consent to Tender Plea (Docket Entry No. 2).) On that same day, Defendant entered a plea of guilty before Judge Johnson to the charge contained in the Information. (Minute Entry (Docket Entry No. 3); Plea Agreement (Docket Entry No. 4).) As part of the Plea Agreement, Defendant agreed to waive indictment and arraignment. (Plea Agreement at 1.)

On July 14, 2017, Judge Johnson issued his Report and Recommendation. (Report & Recommendation (Docket Entry No. 5).) Judge Johnson’s Report and Recommendation states, in relevant part:

The defendant, Kenneth W. Hillman, III, by consent, has appeared before me and entered a plea of guilty to the Information. After cautioning and examining the defendant under oath concerning each of the subjects mentioned in Fed. R. Crim. Pro. 11, I have determined that the guilty plea was knowing and voluntary, and that the offense charged is supported by an independent

basis in fact establishing each of the essential elements of such offense. I, therefore, **RECOMMEND** that the plea of guilty be accepted and that the defendant be adjudged guilty and have sentence imposed accordingly.

(Id. at 1.)

As of the date of this Order, neither Defendant nor the Government has filed an Objection to the Report and Recommendation. The time period for filing Objections has expired, and the Court therefore finds that this matter is ripe for resolution.

Based on the Court's review of the Report and Recommendation and the record in the case, the Court finds that Defendant's plea of guilty was knowingly and voluntarily made, and that Defendant's plea to the offense charged was supported by an independent basis in fact establishing each of the essential elements of that offense. Pursuant to Rule 11 of the Federal Rules of Civil Procedure, the Court **ADOPTS** the Report and Recommendation [5] and makes it the Order of this Court.

Defendant's plea of guilty to the Information is hereby accepted, and Defendant is hereby adjudged guilty of said offense.

Defendant's sentencing hearing is scheduled for Friday, September 22, 2017, at 2:00 p.m., in Room 300 of the United States Courthouse, 600 East First Street, Rome, Georgia.

IT IS SO ORDERED, this the 31<sup>st</sup> day of July, 2017.

  
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SENIOR UNITED STATES DISTRICT JUDGE